

REMARKS:

In a Notice of Appeal filed December 9, 2005, the Applicants appealed the Examiner's September 9, 2005 Office Action finally rejecting claims 1-29, 44-48 and 50-57.

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Claims 1-28, 31, 33, 44-48 and 52-57 are cancelled herein without prejudice or disclaimer and claims 29 and 34-43 remain cancelled. Claims 30-33, 49 and 58-62 are allowed (see at least Office Action dated September 9, 2005).

Claims 30, 32, 50 and 51 are amended herein. No new matter is presented.

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A Request for Continued Examination is submitted herewith to reopen prosecution of the present application.

Thus, claims 30, 32, 49-51 and 58-62 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 101:

In the Decision of the Board of Appeals dated February 3, 2009, claims 1-26, 30, 44-50 and 52-62 were rejected under 35 U.S.C. § 101.

By this Amendment, claim 50 has been amended and no longer includes the language in the form rejected. The method of claim 50 is apparently tied to "a computer" (i.e., a machine), which is within the statutory subject matter.

Other claims similarly rejected have been cancelled without disclaimer or prejudice.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112:

In the Decision of the Board of Appeals dated February 3, 2009, claims 51 was rejected under 35 U.S.C. § 112, first and second paragraph.

By this Amendment, claim 51 has been amended and no longer includes the language in the form rejected. Other claims similarly rejected rejected under 35 U.S.C. § 112 have been cancelled without disclaimer or prejudice.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

On pages 2-8 of the final Office Action, dated September 9, 2005, the Examiner rejected claims 1-29, 44-48, and 50-57 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,240,409 to Aiken ("Aiken").

As noted starting on page 14 of the decision from the Board of Patent Appeals and Interferences, the Examiner erred with respect to the rejection of claims 50 and 51.

Therefore, withdrawal of the rejection is respectfully requested.

ALLOWED CLAIMS:

With the exception of the § 112 and § 101 rejection, claims 30-33, 49 and 58-62 have been indicated as allowable.

By this Amendment, pertinent claims have been amended and no longer include the language in the form rejected.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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